

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON JULY 16, 2014 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE.

Mayor and Council Members Present: Mayor Brent Marshall and Council Members Mike Johnson, Mike Colson, Tom Tripp, Scott Stice and Neil Critchlow.

Appointed Officers and Employees Present: Joel Linares, Kerri Anderson, and Christine Webb.

Citizens and Guests Present: Colleen Brunson, Ken Grant, Michelle Hernandez, Beth Coles, Bonnie Rupp, Mary and George Richardson, Justin Richardson, Kent Liddiard, Gordon Brady, and Ashley Valdez.

Mayor Marshall asked Councilman Stice to lead the audience in the Pledge of Allegiance.

AGENDA:

1. Summary Action Items.

- a. Approval of Minutes from the July 2, 2014 City Council Meeting.
- b. Approval of Bills in the amount of \$182,991.07.
- c. Personnel Matters (none).

Councilman Tripp inquired about the tire changer and balancer. Councilman Colson asked how the road paving was coming. Mayor Marshall reported on the roads that have been completed and explained we have put out another RFP for some more projects. Councilman Stice asked about a bill labeled "goat heads". Mayor Marshall said there is a weevil which will eat the interior of the goat head and kills them. The City has purchased some to try and combat serious problem areas. The weevils die after eating all of the protein from the goat heads. The City is going to try this because it is inexpensive and if it works, it will be worth it.

Motion: Councilman Johnson made a motion to approve the summary action items. The motion was seconded by Councilman Tripp. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

2. Consideration of Ordinance 2014-14 amending the official zoning map of Grantsville City, Utah by rezoning 0.72 of an acre on property located at 713 East Main Street from an RM-7 and A-10 zoning designation to a CN zoning designation.

Mayor Marshall stated Mr. Grant amended his original application to state "To operate a business under a conditional use permit as allowed by code." Mr. Grant explained if he does not get approval for the minor auto repair shop, then he would like to get a Conditional Use Permit for a business such as a

dance studio, a nursery, or farmer's market. He would like the option to run a business even if he cannot get a conditional use permit for an auto repair shop.

Councilman Tripp stated it would be easier to approve if they knew specifically what Mr. Grant's plan is. Mr. Grant explained he felt the CN zone would be best for the area. Councilman Johnson pointed out the Code was changed in 2011 which eliminated an auto repair shop in the CN zone. Councilman Colson explained the issue to be decided upon is the zone change not a conditional use permit. Councilman Colson said the permitted uses are very limiting. Councilman Stice clarified that if the requested zone change was denied, then Mr. Grant could only apply for a zone change to a different zone.

The Council discussed ideas that the CN zone seemed to be the correct zone for the area. Councilman Critchlow clarified with Mr. Grant that the CN zone does not allow a minor auto repair shop. Mr. Grant answered he is aware and is asking for the CN zone.

Motion: Councilman Stice made a motion to deny Ordinance 2014-14. The motion was not seconded. The motion failed for lack of a second.

Councilman Colson stated he would like to have more discussion. He would like to see more effort to get along between the neighbors. Mr. Grant explained he keeps to himself but he feels that he has made every effort to mend fences. Mrs. Richardson was stuck in her driveway during a big snow storm and he plowed it out for her that night. Councilman Colson addressed the fact the garage was built as a residential garage. Fire Marshal, Kent Liddiard was asked about fire code for the garage. Mr. Grant stated he would be willing to upgrade the building to satisfy the code for a commercial building. He reported the garage was built by a licensed general contractor (Travis Warr). Councilman Tripp stated there is a hostile environment in the area and he would like to see that resolved. Mr. Grant commented there were hostile feelings from day one from a few of his neighbors. Mayor Marshall commented the Council Members were not here to discuss the hostility in the neighborhood but for the zone change. Councilman Critchlow clarified there would have to be some engineering questions answered prior to approving a CUP for any business in the building.

Motion: Councilman Johnson made a motion to table Ordinance 2014-14 for approximately sixty days until the September 17th City Council Meeting. Councilman Tripp seconded the motion.

Councilman Colson asked if Councilman Johnson would be willing to retract his motion. Councilman Johnson said he would like to see how the neighbors and Mr. Grant react and did not wish to retract his motion.

Councilman Tripp suggested a special public meeting to sit down with those in the neighborhood to discuss this issue. Councilman Tripp volunteered to chair such a meeting.

Motion: The motion made by Councilman Johnson and seconded by Councilman Tripp was to table Ordinance 2014-14 until the September 17th City Council Meeting. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Nay", and Councilman Johnson, "Aye". The motion carried and Ordinance 2014-14 was tabled.

3. Consideration of Resolution 2014-06 appointing a director to the Library Board.

Mayor Marshall stated the Library Board had nominated Tera Peterson to fill the vacancy on the Library Board. Councilman Stice explained the Library Board met earlier in the day and they were in agreement to appoint Ms. Peterson.

Motion: Councilman Stice made a motion to approve Resolution 2014-06 appointing Tera Peterson to the Library Board. The motion was seconded by Councilman Johnson. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

4. Consideration of a Memorandum of Understanding between Welles Cannon for TP Development, Inc. and Grantsville City.

Mayor Marshall explained he met with Welles Cannon. Mr. Cannon was requesting approval to begin Phase 6 for the Anderson Ranch Subdivision. Mayor Marshall remarked developers are required by ordinance to reach seventy percent (70%) completion prior to approval to begin new phases. Calculations put Mr. Cannon's sales at a possible 35% completion. Attorney Linares pointed out the Council has denied other developers' requests on the basis of not reaching the 70% completion. Councilman Stice commented he likes the subdivision and Mr. Cannon but does not want to set precedence. Councilman Johnson agreed.

Motion: Councilman Colson made a motion to deny the MOU between Welles Cannon and Grantsville City. Councilman Johnson seconded the motion. The vote was as follows: Councilman Stice, "Aye", Councilman Critchlow, "Aye", Councilman Tripp "Aye", Councilman Colson, "Aye", and Councilman Johnson, "Aye". The motion carried.

5. Open and Public Meetings Training.

Attorney Linares provided information on Open Public Meetings Act. He reviewed the definition of a quorum, meetings are open to the public, when a meeting can be closed to the public, and the requirements for keeping minutes. Councilman Tripp inquired about a meeting with the Grants and their neighbors and having a public meeting versus a private meeting between those involved. The Council is forbidden to approve any ordinance, resolution, rule, regulation, contract, or appointment during a closed meeting. Closed Sessions are confidential and anyone breaching the confidentiality can be charged with a criminal offense. Challenges need to be made within sixty days. The Open and Public Meetings Act require a twenty four hour notice for public meetings.

6. Matters for Review.

There were no matters for review.

7. Mayor and Council Reports.

Mayor Marshall stated he attended all of the 4th of July activities. They were well attended and he received many positive comments. He thanked everyone who was involved for the success. A critiquing meeting was held on Friday, July 11th. The minutes from the meeting were provided to the Council Members for comments. Councilman Tripp commented there were some gaps in the parade. All were in agreement the bouncy houses should remain free to the children. The Mayor reported on the Country Explosion meeting he attended. He met with Representative Doug Sagers and discussed some legislative issues for the upcoming session. They talked about the Mid-Valley highway, the prison, water, the gas tax, SITLA property and economic development. The Mayor met with Brody Palmer and Matt Price. He attended the County Economic Development meeting, the EMS meeting with Dr. Bradley and met with the engineer to inspect the Clark Farm Buildings. The engineer provided the Mayor with a cost of \$2500 for the inspection and reports. He would like the Council to identify the buildings that could be used by the public and whether the buildings are farm or agricultural buildings and secure the buildings if there is no entry. The Council Members were in agreement to allocate money to have the engineer inspect the buildings. Mayor Marshall and Attorney Linares were part of a conference call with attorneys from Smith Hartvigsen about water rights. Mayor Marshall met with Chief Turner and Jacob Stewart. The Mayor reviewed the requirements to nominate a replacement and fill the position for Judge Butcher as he has turned in his resignation. Judge Powell is willing to fill in until the process is completed. Joel Kertamus has officially retired as of today and we will have a party for him in a month or so when he is available. Mayor Marshall requested a special meeting for July 30th at 5:00 p.m. to review and award an RFP for street repairs. Mayor Marshall expressed condolences for the family and friends of the man who died at the Element Eleven Event.

Councilman Stice attended the Mosquito Board Meeting. He reported the numbers of mosquitoes are down in the County everywhere except in Lake Point. He attended the Library Board meeting this afternoon. The summer reading program had 96 kids attend this year with 27 volunteers for five weeks. He reported our library will meet the requirements for Certified Status in about a year and a half. Councilman Stice stated one of the requirements we will need to meet is to have more qualifying hours. The Library will need to have thirty eight hours. Currently, it is open twenty four hours a week. This will require either another part time employee or to have the library open more hours.

Councilman Critchlow commented on the positive things taking place in the City. He was in attendance at Element Eleven on the night when the individual died and he stated the Police Department and the Fire Department handled it very well. He received nothing but good comments on the 4th of July activities.

Councilman Tripp stated the lawn in front of City Hall looks better than it has in five years.

Councilman Colson received many positive comments on the 4th of July. He expressed gratitude for those involved with the festivities.

Councilman Johnson thanked Officer Jim White for his service to the City.

8. Public Comments.

Mayor Marshall asked if there were any comments or concerns of the public. Justin Richardson commented on the emotional aspect of the situation in his neighborhood. He stated Mr. Grant has every

Approved

right to run a business in the City but asked if it is appropriate for this neighborhood. He feels this issue should not be clouded with emotions.

Attorney Linares provided a letter the City received from a group in Washington State demanding the City change its code regarding guns in a City park. Mayor Marshall explained our City Code prohibits guns in City Parks. Chief Turner clarified carrying is different than brandishing. Attorney Linares and Mayor Marshall reported the ordinance was adopted prior to the current administration's term.

9. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilman Colson seconded the motion. The meeting was adjourned at 8:23 p.m.